

Van Zandt	Weinert
Vick	Winfield

Absent—Excused

Cotten	York
Spears	

Consideration of Senate Bill 38

Senator Fain moved that Section 5 of Article 3 of the Constitution be suspended, to allow consideration in committee and by the Senate of S. B. No. 38 during the first thirty days of the regular session of the Legislature.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield

Absent—Excused

Cotten	York
Spears	

Advance Printing of Senate Bill 11

On motion of Senator Martin, and by unanimous consent, it was ordered that S. B. No. 11 be printed in advance of its consideration in committee.

Bills Re-referred

On motion of Senator Moore, Senate Bills Nos. 14 and 66 were re-referred from the Committee on State Affairs to the Committee on Civil Jurisprudence.

Senate Bill 36 on Second Reading

The President laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 36, A bill to be entitled "An Act to authorize and empower the Governor of the State of Texas to lease and demise to the United States the tract of land, known as

Camp Hulen at or near Palacios, Matagorda County, Texas, now owned and held in trust by the State of Texas for the use and benefit of the 36th Division, Texas National Guard, together with such buildings, systems, fixtures, and appurtenances thereon, as he may deem advisable."

The bill was read second time.

On motion of Senator Aikin and by unanimous consent, further consideration of the bill was passed over until tomorrow.

Senate Concurrent Resolution 6

On motion of Senator Moffett and by unanimous consent, Senate Rules 31a and 48 were suspended, to permit consideration of S. C. R. No. 6 at this time.

The President then laid before the Senate:

S. C. R. No. 6, Authorizing the lending by the State Highway Department of guard wire to the City of Vernon.

The resolution was read and was adopted.

Senate Concurrent Resolution 7

On motion of Senator Moffett and by unanimous consent, Senate Rules 31a and 48 were suspended, to permit consideration of S. C. R. No. 7 at this time.

The President then laid before the Senate:

S. C. R. No. 7, Authorizing the lending by State Highway Department of guard wire to Iowa Park Independent School District.

The resolution was read and was adopted.

Adjournment

On motion of Senator Shivers, the Senate, at 11:10 o'clock a. m., adjourned until 10:00 o'clock a. m. tomorrow.

TENTH DAY

(Wednesday, January 29, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Brownlee
Beck	Chadick

Cotten	Metcalf
Fain	Moffett
Formby	Moore
Graves	Ramsey
Hazlewood	Shivers
Hill	Smith
Isbell	Stone
Kelley	Sulak
Lanning	Van Zandt
Lemens	Vick
Lovelady	Weinert
Martin	Winfield
Mauritz	York

Absent—Excused

Spears

A quorum was announced present.

Prayer was offered by the Chaplain.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with, and the Journal was approved.

Leave of Absence Granted

Senator Spears was granted leave of absence for today on account of important business on motion of Senator Graves.

Reports of Standing Committees

Senator Isbell submitted the following report:

Austin, Texas,
January 28, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Contingent Expense, to whom was referred

S. R. No. 15, Authorizing the installation of automatic vending machine.

Beg leave to report same back to the Senate with the recommendation that it do not pass but that committee substitute therefor do pass and be not printed.

Respectfully submitted,
ISBELL, Chairman.

Committee Substitute Resolution

Whereas, The House of Representatives has installed automatic electric vending machines for the refrigeration of cold drinks; and

Whereas, It will save time of pages and expense to the membership of the Senate to install similar machines ad-

jacent to the Senate Chamber; therefore, be it

Resolved by the Senate of Texas, That the Chairman of the Contingent Expense Committee be, and is hereby, authorized to permit the installation of such machines in places adjacent to the Senate Chamber that in his judgment will better serve the members and employes of the Senate.

Be It Further Resolved, That any commissions derived from the privilege granted herein shall be placed in the hands of the Sergeant-at-Arms and held by him subject to the order of the Lieutenant Governor and the Chairman of the Contingent Expense Committee.

Be It Further Resolved, That the dispensing or drinking of any beverage shall be strictly prohibited on the floor of the Senate and the pages and other employes are instructed not to bring any beverages in the Senate Chamber.

Senator Weinert submitted the following reports:

Austin, Texas,
January 28, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 75 by Shivers, a bill to be entitled

"An Act to validate the organization and creation of all Junior College Districts and Union Junior College Districts, created in any manner under the provision of the Acts of the Forty-first Legislature, 1929, page 648, Chapter 290, and under any amendments thereof;" etc.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
January 28, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 72 by Van Zandt, a bill to be entitled

"An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated

common school districts, all county line school districts, including county line common school districts, county line independent school districts, county line consolidated common school districts, county line consolidated independent school districts, rural high school districts, and all other school districts, whether created by general or special law or by county boards of trustees; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, together with committee amendment number one hereto attached, and be printed.

WEINERT, Chairman.

Committee Amendment 1

Amend Senate Bill No. 72, Section 3, by striking the following words: "filed within forty-five (45) days after the effective date of this Act" and substituting in lieu thereof the following: "pending in any court of competent jurisdiction which has been filed heretofore or within twenty (20) days after the effective date of this Act" and by amending the caption to conform hereto.

Austin, Texas,
January 28, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 14 by Graves and Martin, a bill to be entitled

"An Act to amend Article 4006, of the Revised Civil Statutes of 1925, as amended by S. B. No. 269, page 334, Acts of 1939, Regular Session, Forty-sixth Legislature, so as to permit members of families of furloughed, pensioned, and superannuated employees to accept free passes on carriers, and repealing all laws and parts of laws in conflict herewith; providing a saving clause; and declaring an emergency and providing the Act shall take effect from and after its passage."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, together with committee amendments numbers one and two, and be printed.

WEINERT, Chairman.

Committee Amendment 1

Amend Senate Bill No. 14 by adding the following at the bottom of page one, after the word "families":

"the widows of deceased former superannuated and/or pensioned employees;"

Adopted.

Committee Amendment 2

Amend the caption of Senate Bill No. 14 to conform with the body of the bill.

Adopted.

Senator Metcalfe submitted the following report:

Austin, Texas,
January 29, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Military Affairs, to whom was referred S. B. No. 38, A bill to be entitled "An Act to provide further safeguards for public educational funds; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

Respectfully submitted,
METCALFE, Chairman.

Senate Bills on First Reading

The following bills were introduced, read severally first time and referred by the President to the committees indicated:

By Senators Cotten, Van Zandt, Aikin, Lemens, Smith, Hazlewood, Formby, Moffett, Stone, Chadick, Lanning and Moore:

S. B. No. 77, A bill to be entitled "An Act providing for the deposit of monies to the credit of the State Accumulation Fund of the Teacher Retirement System of Texas, repealing all laws and parts of laws in conflict with this Act; and declaring an emergency."

To Committee on Finance.

By Senator Cotten:

S. B. No. 78, A bill to be entitled "An Act, to amend Article 4211 of Revised Civil Statutes of the State of Texas, relative to guardians mortgaging property of estates."

To Committee on Civil Jurisprudence.

By Senator Cotten:

S. B. No. 79, A bill to be entitled "An Act, to amend Article 3458 of Revised Civil Statutes of the State of Texas; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Aikin (by request):

S. B. No. 80, A bill to be entitled "An Act amending Senate Bill No. 170, Chapter 253, Acts of the Forty-second Legislature, Regular Session, pages 420 and 421; providing for the establishment of the State Prison Psychopathic Hospital as a part of the Prison System of the State of Texas; and providing who may be committed thereto; providing for proceedings for commitment and admission of certain dangerous insane inmates of State Hospitals; providing for the appointment of a Medical Director and other employees and for the promulgation of rules and regulations by the Board of Prison Managers; providing a saving clause; and declaring an emergency."

To Committee on Penitentiaries.

By Senator Aikin (by request):

S. B. No. 81, A bill to be entitled "An Act authorizing the Boards of School Trustees of Independent School Districts and County Boards of School Trustees to employ visiting teachers and school psychologists, setting forth qualifications of visiting teachers and school psychologists, prescribing their duties, defining their status, and prescribing how they should be paid; providing a saving clause, repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

To Committee on Education.

By Senator Stone:

S. B. No. 82, A bill to be entitled "An Act to amend Section (d) of Article 4706, Revised Civil Statutes of 1925, as amended by House Bill No. 928, Acts of the Forty-sixth Legislature, Regular Session, page 394; and declaring an emergency."

To Committee on Insurance.

By Senators Mauritz and Kelley:

S. B. No. 83, A bill to be entitled "An Act amending Article 3726, Revised Civil Statutes, 1925, as amended by House Bill No. 73, First Called Session, Fortieth Legislature, relating

to the admission of recorded instruments without proof; providing that if the land to which the instrument pertains is situated within the county in which the suit is pending, the party desiring to offer in evidence recorded instruments, may do so, without producing the originals thereof and without accounting for his failure to produce such originals, by filing a list of such recorded instruments at least ten days before the trial, giving the volume and page wherein such instruments are recorded; providing that unless an affidavit is filed by the opposite party at least three days before the trial, stating that he believes such instruments of writing to be forged, then the party filing such lists of recorded instruments shall be entitled to read the same from the record; providing that a copy of a list of such recorded instruments shall be filed with the clerk of the county court at least three days before the trial of a case; providing that the county clerk shall on the day of the trial deliver, or cause to be delivered, the records so requested to the court in which the trial is pending, without charging for the use of such records; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Van Zandt:

S. B. No. 84, A bill to be entitled "An Act to amend Section 5 of Chapter 42, General Laws of the State of Texas, passed by the Forty-first Legislature, Second Called Session, as amended by Section 5 of Chapter 282, Acts of the Regular Session of the Forty-second Legislature; also amending Section 5(a), Chapter 282 of the General Laws of the State of Texas passed by the Forty-second Legislature, Regular Session, which further amended Section 5, Chapter 42 of the General Laws of the State of Texas, passed by the Forty-first Legislature, Second Called Session; repealing Section 5 (b), Chapter 282 of the General Laws of the State of Texas, passed by the Forty-second Legislature, Regular Session; also amending Section 6, Chapter 282 of the General Laws of the State of Texas, passed by the Forty-second Legislature, Regular Session, which further amended Section 5, Chapter 42 of the General Laws of the State of Texas passed by the Forty-first Legislature, Second

Called Session; and also amending Section 6, Chapter 42 of the General Laws of the State of Texas passed by the Forty-first Legislature, Second Called Session; also amending Section 11, Chapter 282, of the General Laws of the State of Texas, passed by the Forty-second Legislature, Regular Session, which amended Section 15 of Chapter 42, General Laws of the State of Texas, Forty-first Legislature, Second Called Session known as Section 15 (a), fixing the load limit which may be lawfully carried on commercial motor vehicles, truck-tractors, trailers or semi-trailers on the public highways outside of the limits of an incorporated city or town; providing means for the enforcement of the provisions of this Act; providing penalties for violation of any provision of this Act; providing injunctive relief for violation of any provision of this Act; providing that the unconstitutionality of any part or parts of this Act shall not affect the validity of the remaining parts thereof; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

To Committee on Highways and Motor Traffic.

By Senator Graves:

S. B. No. 85, A bill to be entitled "An Act to amend Article 4752, of Chapter 3, Title 78, of the Revised Statutes of 1925, relating to limited capital stock life, accident and health insurance companies, removing the restriction that such companies shall have power only to transact business within this State; and declaring an emergency and providing the Act shall take effect from and after its passage."

To Committee on Insurance.

By Senator Graves:

S. B. No. 86, A bill to be entitled "An Act providing that death shall not be presumed from mere absence of a person; that such a person has been exposed to specific peril of death shall be considered by the court or a jury; providing that no provision concerning the effect to be given to evidence of absence of death in any insurance policy hereafter executed or adopted should be valid; providing for a period in which to bring suit upon a claim of death and the evidence and notice pertaining thereto; providing for the appointment of a receiver of

the property of the person who disappears under certain conditions and fixing the qualification, powers and duties of such receiver; providing for the manner and time of notice under this Act; providing for search for such absentee and for final hearing and finding of the court and decree that the absentee is dead, and for the certification of such proceedings to the probate court and for final finding and decree and disposition of the property of deceased, and that no action shall be brought by such absentee to recover any portion of the property after the final finding and judgment provided in this Act; providing for the winding up of the receivership and the termination of the proceedings and the distribution of the property of the absentee; providing for the distribution of any sums unpaid under any policies of insurance upon the life of the absentee and for the determination of a contested claim, and providing for the payment of the surrender value of any policy if in any proceedings under this Act it is found that the absentee is not deceased, providing for the payment under certain conditions to the Treasurer of the State and the disposition of such funds; providing for uniform interpretation, a short title, and repealing all laws or parts of laws inconsistent herewith; providing for severability; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Graves:

S. B. No. 87, A bill to be entitled "An Act providing for the disposition of property and insurance where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto, and providing that this Act shall not be retroactive; and that same shall not apply if decedent provides otherwise; and providing for uniform interpretation; that this Act may be cited as 'The Uniform Simultaneous Death Act'; repealing all laws and parts of laws inconsistent herewith; providing for severability; and declaring an emergency."

To Committee on Civil Jurisprudence.

Reference of Senate Bill 51

On motion of Senator Kelley, S. B. No. 51 was re-referred from the Committee on Criminal Jurisprudence to the Committee on Labor.

Committee Substitute for Senate Resolution 15

On motion of Senator Isbell and by unanimous consent, the regular order of business was suspended, to permit consideration of Committee Substitute Senate Resolution 15 at this time.

The President then laid before the Senate:

C. S. S. R. No. 15, Relating to installation of refrigeration vending machines in certain places adjacent to the Senate Chamber.

The substitute resolution was read and was adopted.

Signing of Resolutions

The President signed in the presence of the Senate, after their captions had been read, the following enrolled resolutions:

H. C. R. No. 15, Recalling H. C. R. No. 11 to the House for further consideration.

H. C. R. No. 17, Commending Hon. Sam Rayburn.

H. C. R. No. 19, Inviting Major General Paul B. Malone to address a joint session of the Legislature at 11:00 o'clock a. m., February 3, 1941.

Senate Bill 19 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 19, A bill to be entitled "An Act to amend H. B. No. 30, Chapter 4, Acts of 1933, First Called Session, Forty-third Legislature, as amended by H. B. No. 122, Chapter 387, Acts of 1935, First Called Session, Forty-fourth Legislature, as amended by H. B. No. 54, Chapter 510, Acts of 1936, Forty-fourth Legislature, Third Called Session, and repealing all laws and parts of laws in conflict herewith; providing a saving clause; and declaring an emergency and providing the Act shall take effect from and after its passage."

The bill was read second time.

Senator Moore offered the following amendment to the bill:

Amend S. B. No. 19, Section 1, by striking out "383,000" and inserting "375,000".

The amendment was adopted.

Senator Graves offered the following amendment to the bill:

Amend S. B. No. 19, Section 1, by inserting the words "or any future" after the words "last preceding".

The amendment was adopted.

On motion of Senator Graves, it was ordered that the caption be amended to conform to the body of the bill.

The bill then was passed to engrossment.

Senate Bill 19 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 19 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Hazlewood
Beck	Hill
Brownlee	Isbell
Chadick	Kelley
Cotten	Lanning
Fain	Lemens
Formby	Lovelady
Graves	Martin

Mauritz	Stone
Metcalfe	Sulak
Moffett	Van Zandt
Moore	Vick
Ramsey	Weinert
Shivers	Winfield
Smith	York

Absent—Excused

Spears

Senate Bill 36 on Passage to Engrossment

The President laid before the Senate, as postponed business, on its passage to engrossment (the bill having been read second time on yesterday):

S. B. No. 36, A bill to be entitled "An Act to authorize and empower the Governor of the State of Texas to lease and demise to the United States the tract of land, known as Camp Hulen at or near Palacios, Matagorda County, Texas, now owned and held in trust by the State of Texas for the use and benefit of the 36th Division, Texas National Guard, together with such buildings, systems, fixtures, and appurtenances thereon, as he may deem advisable."

The bill was passed to engrossment.

Senate Bill 36 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 36 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Spears

Senate Bill 38 on Second Reading

On motion of Senator Fain and by unanimous consent, Senate Rule 48 was suspended, and the regular order of business was suspended, to permit consideration of S. B. No. 38 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 38, A bill to be entitled "An Act to provide further safeguards for public educational funds; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 38 on Third Reading

Senator Fain moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 38 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Graves
Beck	Hazlewood
Brownlee	Hill
Chadick	Isbell
Cotten	Kelley
Fain	Lanning
Formby	Lemens

Lovelady	Smith
Martin	Stone
Mauritz	Sulak
Metcalf	Van Zandt
Moffett	Vick
Moore	Weinert
Ramsey	Winfield
Shivers	York

Absent—Excused

Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Spears

Consideration of Senate Bill 3

Senator Fain moved that Section 5 of Article 3 of the Constitution be suspended, to allow consideration in committee of S. B. No. 3 during the first thirty days of the regular session of the Legislature.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lemens
Beck	Lovelady
Brownlee	Martin
Chadick	Mauritz
Cotten	Metcalf
Fain	Moffett
Formby	Moore
Graves	Ramsey
Hazlewood	Shivers
Hill	Smith
Isbell	Stone
Kelley	Sulak
Lanning	Vick

Weinert	York
Winfield	

Nays—1

Van Zandt

Absent—Excused

Spears

Senate Bill 3 Re-referred

Senator Fain moved that S. B. No. 3 be re-referred from the Committee on Criminal Jurisprudence to the Committee on Penitentiaries.

The motion prevailed.

Executive Session

At 11:00 o'clock a. m., the President announced the hour set for an executive session of the Senate had arrived.

Accordingly, the floor and galleries were cleared of those not entitled to attend the executive session, and the doors leading from the Senate Chamber were closed.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk the following reports had been adopted by the Senate:

Austin, Texas,
January 22, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Nominations by the Governor, to whom were referred the following nominations:

To be Chief Justice of the Eighth Court of Civil Appeals at El Paso, to fill the unexpired term of Chief Justice Joseph M. Nealon, deceased, term to expire at end of election year, December 31, 1940:

Judge P. R. Price of El Paso, El Paso County.

To be State Banking Commissioner for a two year term expiring September 1, 1941:

Fred C. Branson of Galveston, Galveston County.

To be Judge, Forty-first District Court at El Paso, Texas, to fill unexpired term of P. R. Price, resigned, term to expire at end of election year, December 31, 1940:

Judge David E. Mulcahy of El Paso, El Paso County.

To be Member of the Board of Public Welfare, two year term expiring January 20, 1941:

M. E. Sadler of Austin, Travis County.

To be Judge of the Court of Criminal Appeals of Texas, to fill the unexpired term of Judge W. C. Morrow, resigned, term expiring at end of election year, December 31, 1940:

Tom L. Beauchamp of Tyler, Smith County.

To be Secretary of State, to fill unexpired term of Tom L. Beauchamp, resigned, term to expire January 21, 1941:

M. O. Flowers of Lockhart, Caldwell County.

To be Chairman of the State Commission for the Blind, to fill the unexpired term of James A. Boddeker, deceased, whose term expires January 1, 1941:

P. B. Keller of Dallas, Dallas County.

To be Associate Justice of the Court of Civil Appeals at Waco, to fill unexpired term of Judge Ballard W. George, deceased, term to expire at end of election year, December 31, 1940:

Judge Jake Tirey of Waco, McLennan County.

To be Adjutant General of Texas, to fill unexpired term of Harry Knox, Jr., resigned, term expiring January 17, 1941:

J. Watt Page of Fort Worth, Tarrant County.

To be Associate Justice of the Fourth Court of Civil Appeals at San Antonio, to fill unexpired term of Judge C. S. Slatton, resigned, term expiring December 31, 1940, end of election year:

Judge J. R. Norvell of Edinburg, Hidalgo County.

To be Judge of the 69th Judicial District, to fill the unexpired term of Judge Reese Tatum, deceased, whose term expires at end of election year, December 31, 1940:

James W. Witherspoon of Hereford, Deaf Smith County.

To be District Attorney of the 69th Judicial District, to fill unexpired term of Judge James Witherspoon, resigned, whose term expires at end of election year, December 31, 1940:

Milton Tatum of Dalhart, Dallam County.

To be District Attorney of the 24th Judicial District, to fill unexpired

term of Howard Green, resigned, whose term expires at end of election year, December 31, 1940:

Frank Martin of Goliad, Goliad County.

To be District Judge of the 24th Judicial District, to fill unexpired term of Judge J. P. Pool, deceased, whose term expires at end of election year, December 31, 1940:

Howard P. Green of Refugio, Refugio County.

To be a Member of the Board of Regents of The University of Texas, to fill the unexpired term of Dr. Edward Randall, resigned, whose term expires January 10, 1941:

Fred C. Branson of Galveston, Galveston County.

To be a Member of the Board of Public Welfare, to fill unexpired term of M. E. Sadler, resigned, term to expire January 20, 1941:

Dr. Thos. H. Taylor of Brownwood, Brown County.

To be District Judge of the 76th Judicial District, to fill unexpired term of R. T. Wilkinson, Jr., resigned, whose term expires at end of election year, December 31, 1940:

R. T. Wilkinson, Sr., of Mt. Vernon, Franklin County.

To be Chief Justice of the Supreme Court of Texas, to fill unexpired term of Judge C. M. Cureton, deceased, whose term expires at the end of the election year, December 31, 1940:

W. F. Moore of Paris, Lamar County.

To be District Judge of the 85th Judicial District, to fill unexpired term of Judge W. C. Davis, deceased, whose term expires at end of election year, December 31, 1940:

W. S. Barron of Bryan, Brazos County.

To be Casualty Insurance Commissioner, to fill the unexpired term of R. G. Waters, resigned, term to expire February 10, 1941:

Reuben Williams of Fort Worth, Tarrant County.

Have had the same under consideration, and do recommend that they be in all things confirmed.

MARTIN, Chairman.

Austin, Texas,
January 27, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Nominations by the Governor, to whom were referred the following nominations:

To be Members of the Board of Regents of The University of Texas:

Mr. Fred Branson of Galveston, Texas, for re-appointment for a six year term to expire January 10, 1947;

Mr. Dan J. Harrison of Houston, Texas, for a six year term to expire January 10, 1947; and

Mr. Orville Bullington of Wichita Falls, Texas, for a six year term to expire January 10, 1947.

Have had the same under consideration, and do recommend that they be in all things confirmed.

MARTIN, Chairman.

Austin, Texas,
January 27, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Nominations by the Governor, to whom were referred the following nominations:

To be a Member of the Board of Architectural Examiners, for six year term expiring July 7, 1945:

Thomas D. Broad of Dallas, Dallas County.

To be Members of the Texas Advisory Civil Judicial Council, for six year terms expiring August 11, 1945:

Marion N. Chrestman of Dallas, Dallas County;

Robert W. Stayton of Austin, Travis County;

Frank Hartgraves of Menard, Menard County.

To be Members of the Board of Optometry, for six year terms ending August 11, 1945:

Dr. T. M. Montgomery of Amarillo, Potter County;

Dr. Mollie Armstrong of Brownwood, Brown County.

To be a Member of the Board of Public Welfare, for a four year term expiring January 20, 1943:

Beeman Strong of Beaumont, Jefferson County.

To be a Member of Central Colorado River Authority, to fill unexpired term of Dr. T. R. Sealy, de-

ceased, term to expire January 1, 1945:

O. L. Cheaney of Santa Anna, Coleman County.

To be a Member of the Teacher Retirement Board, for a six year term expiring August 31, 1945:

Miss Quata Woods of Dallas, Dallas County.

To be a Member of the Texas Advisory Civil Judicial Council, to fill unexpired term of Paul Bolton, resigned, term expiring July 1, 1941:

George Waverley Briggs of Dallas, Dallas County.

To be Members of the Board of Directors of Guadalupe-Blanco River Authority, for six year terms ending February 1, 1945:

I. A. Ogden of New Braunfels, Comal County;

E. A. Schumann of New Braunfels, Comal County;

H. A. Wagenfuehr of New Braunfels, Comal County.

To be Presiding Judge of the Ninth Administrative Judicial District, to fill the unexpired term of Reese Tatum, deceased, (office terminated by death, resignation, or expiration of term of office as District Judge.):

W. R. Ewing of Pampa, Gray County.

To be a Member of the Upper Red River Flood Control and Irrigation District, to fill unexpired term of G. W. Farmer, resigned, whose term expires July 3, 1943:

Leonard White of Childress, Childress County.

To be Members of the Texas Library and Historical Commission:

John H. Payne of Austin, Travis County (To fill unexpired term of George D. Sears, resigned, whose term expires September 28, 1941.);

Dr. Edmund Heinsohn of Austin, Travis County (To fill the unexpired term of L. W. Kemp, resigned, whose term expires September 28, 1944).

To be a Member of the Texas Advisory Civil Judicial Council, to fill unexpired term of R. L. Ball, deceased, whose term expires November 3, 1943:

W. R. Chapman of Abilene, Taylor County.

To be a Member of the Board of Nurse Examiners, to fill the unex-

pired term of Sister Mary Gertrude Giblin, resigned, whose term expires April 9, 1943:

Sister Antonia O'Donoghue of Dallas, Dallas County.

To be a Member of the Texas Library and Historical Commission, to fill the unexpired term of John H. Payne, resigned, whose term expires September 25, 1941:

A. C. Bull of Austin, Travis County.

To be Associate Justice of the Court of Civil Appeals, Tenth Judicial District of Texas, to fill unexpired term of Judge James P. Alexander (elected Chief Justice of the Supreme Court of Texas), term to expire at end of election period, December 31, 1942:

Joseph Weldon Hale of Waco, McLennan County.

To be Casualty Insurance Commissioner, to fill the unexpired term of Reuben Williams (appointed Life Insurance Commissioner and Chairman of the Board of Insurance Commissioners), term to expire February 10, 1941:

Joseph P. Gibbs of Seguin, Guadalupe County.

To be Members of the Board of Directors of the Central Colorado River Authority, for six year terms to expire January 1, 1947:

C. W. Woodruff of Coleman, Coleman County;

W. J. Stevens of Coleman, Coleman County;

Joe B. Pouns of Coleman, Coleman County.

To be Members of the Board of Directors of the Upper Colorado River Authority, for six year terms to expire January 1, 1947:

W. D. Holcombe of San Angelo, Tom Green County;

Dan Campbell of Robert Lee, Coke County;

C. L. Green of Winters, Runnels County.

To be Presiding Judge of the Third Administrative Judicial District, to succeed Ralph Yarborough, term to expire at death, resignation, or expiration of term of office as District Judge:

Roy C. Archer of Austin, Travis County.

To be District Judge of the 83rd Judicial District, to succeed C. R. Sutton, term to expire at end of election period, December 31, 1942:

H. O. Metcalfe of Marfa, Presidio County.

To be Members of the Pease River Flood Control District Board of Directors, terms to expire October 31, 1945:

Dr. Hines Clark of Crowell, Foard County;

J. H. Allison of Wichita Falls, Wichita County;

Harry Koch of Quanah, Hardeman County.

Have had the same under consideration, and do recommend that they be in all things confirmed.

MARTIN, Chairman.

Adjournment

The President called the Senate to order as in legislative session at 1:00 o'clock p. m.

On motion of Senator Cotten, the Senate, at 1:00 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

In Memory of
The Reverend Theodore Drees

Senator Sulak offered the following resolution:

(Senate Resolution 27)

Whereas, On the 20th day of December, 1940, the Great Architect of the Universe called from the walks of men the Reverend Father Theodore Drees, of Taylor, Texas, at the age of eighty years, and he met the final ordeal with the same undaunted spirit that he met the problems of life; and

Whereas, In his passing the State has lost a great spiritual leader, and a patriotic citizen, who was loved and respected by his legion of friends; his good works will live on, and his memory be cherished by all who knew him; and

Whereas, His service to God and Country was of the highest order, and at the time of his death he was serving as Chaplain of the State Senate; and

Whereas, The members of the Senate of the Forty-seventh Legislature of the State of Texas in recognition of his useful life bow their heads in humble respect for the great loss of his outstanding service and devotion to his fellowman; now, therefore, be it

Resolved, That, when the Senate adjourns today that it do so out of respect for the memory of this splendid servant of God, State, and Country.

SULAK,
BROWNLEE,
COTTEN.

Signed.—Aikin, Beck, Brownlee, Chadick, Cotten, Fain, Formby, Graves, Hazlewood, Hill, Isbell, Kelley, Lanning, Lemens, Lovelady, Martin, Mauritz, Metcalfe, Moffett, Moore, Ramsey, Shivers, Smith, Spears, Stone, Sulak, Van Zandt, Vick, Weinert, Winfield and York.

The resolution was read.

On motion of Senator Cotten, the names of all Senators were added to the resolution as signers thereof.

The resolution was adopted unanimously.